

ASSIGNED

**AMENDED
APPLICATION FOR PERMIT**

Serial No. **16299**

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office **SEP 20 1938**
Returned to applicant for correction **MAY 10 1939**
Corrected application filed **JUL 7 1939**

The undersigned Rip Van Winkle Mining Company

Name of applicant

of Elko, County of Elko,

State of Nevada, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.) August 23, 1937, State of Nevada.

1. The source of the proposed appropriation is Rip Van Winkle Spring

Name of stream, lake, or other source

2. The amount of water applied for is Five Tenths (0.5) second-feet.

One second-foot equals 40 miners' inches

3. The water to be used for Milling, Mining & Domestic

Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:

SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 3, T. 37 N., R. 53 E. I.M.D.M. or at a point whence the

Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
South $\frac{1}{4}$ corner of Sec. 3, T. 37 N., R. 53 E. bears S. 5°15' W., 1137.00 feet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is _____

(b) Description of land to be irrigated _____

Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about Jan. 1st and end about Dec. 31, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Works to be located in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and E $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 3, T. 37 N., R. 53 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 3, T. 37 N., R. 53 E. or at a point whence the South $\frac{1}{4}$ corner of Sec. 3, T. 37 N., R. 53 E. bears S. 30° 43' E., 2104.00 feet.
Describe in same manner as point of diversion.

(g) State number and kinds of animals to be watered _____

(h) Use will begin about _____ and end about _____, of each year.
Month Month

(i) Remarks _____

DESCRIPTION OF PROPOSED WORKS

The water is to be diverted and conveyed by means of a 4" iron pipe

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water 1000' in length to a 10,000 gallon redwood tank to be located Northerly is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions from the present camp. Thence by means of pipe to the mill and camp buildings.

5. Estimated cost of works \$5,000

6. Estimated time required to construct works 4 months

7. Remarks This water is to be used for mining & milling & domestic

For use of applicant

use in recovering silver, lead, zinc, and any other metals now developed at the Rip Van Winkle Mine. This water to be used in conjunction with that already appropriated to the Alaska Improvement Co., Application No. 5513, Certificate Record No. 1773, Book 6, Page 1773, Rip Van Winkle Mng. Co., Applicant.

By L. S. Breckon, Pres.

Compared RSA-C.T.

This sheet inspected

, Engineer.

Protested July 29, 1939 by W. T. Jenkins Co., Inc.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights on the source. It is understood that the one-half (0.50) of a cubic foot of water per second herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed one-half (0.50) of a cubic foot per second.

Actual construction work shall begin on or before August 21, 1944

Proof of commencement of work shall be filed before September 21, 1944

Work must be prosecuted with reasonable diligence and be completed on or before August 21, 1946

Proof of completion of work shall be filed before September 21, 1946

Application of water to beneficial use shall be made on or before

August 21, 1947. Proof of the application of water to beneficial

use must be filed with State Engineer on or before September 21, 1947

Map Filed JUL 7 1939

WITNESS MY HAND AND SEAL this 21st day

of commencement of work filed SEP 18 1944

of February, 1944

Proof of completion of work filed SEP 18 1944

SEP 18 1944

Proof of beneficial use filed SEP 18 1944

Certificate No. 2811 Issued Oct 24, 1944 for filing

Recorded Oct 26, 1944 Et 3 Page 304

Elko County Records.

Alfred Ueberly Smith

State Engineer.

Compared RMA-NN